

\_\_\_\_\_ BILL NO. \_\_\_\_\_

INTRODUCED BY \_\_\_\_\_  
(Primary Sponsor)

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A 10-DAY EXTENSION FOR THE ANNUAL PAYMENT OF GROSS WEIGHT OR SPECIAL FEES FOR A VEHICLE WITH A GROSS WEIGHT EXCEEDING 24,000 POUNDS; AND AMENDING SECTIONS 61-10-201, 61-10-206, 61-10-209, AND 61-10-223, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 61-10-201, MCA, is amended to read:

**"61-10-201. Weight fees on motortrucks, truck tractors, and buses.** In addition to other fees for the licensing of vehicles, there must be paid and, except as provided in 61-10-209, collected annually for each truck, truck tractor, and bus, based upon the manufacturer's rated capacity for trucks with a capacity of 1 ton or less and upon the maximum gross loaded weight and the maximum gross weight of any towed unit of each truck and truck tractor as set by the licensee in the licensee's application, the following fees:

Manufacturer's rated capacity up to 1/2 ton	\$ 7.00
Manufacturer's rated capacity of 3/4 ton	12.50
Manufacturer's rated capacity of 1 ton	17.50
Up to 16,000 lbs	21.00
16,001 through 18,000 lbs	28.00
18,001 through 20,000 lbs	37.50
20,001 through 22,000 lbs	47.00
22,001 through 24,000 lbs	70.00
24,001 through 26,000 lbs	90.00
26,001 through 28,000 lbs	110.00
28,001 through 30,000 lbs	130.00
30,001 through 32,000 lbs	150.00
32,001 through 34,000 lbs	170.00

1	34,001 through 36,000 lbs	190.00
2	36,001 through 38,000 lbs	215.00
3	38,001 through 40,000 lbs	235.00
4	40,001 through 42,000 lbs	255.00
5	42,001 through 44,000 lbs	275.00
6	44,001 through 46,000 lbs	300.00
7	46,001 through 48,000 lbs	320.00
8	48,001 through 50,000 lbs	340.00
9	50,001 through 52,000 lbs	360.00
10	52,001 through 54,000 lbs	380.00
11	54,001 through 56,000 lbs	400.00
12	56,001 through 58,000 lbs	420.00
13	58,001 through 60,000 lbs	440.00
14	60,001 through 62,000 lbs	460.00
15	62,001 through 64,000 lbs	482.50
16	64,001 through 66,000 lbs	502.50
17	66,001 through 68,000 lbs	522.50
18	68,001 through 70,000 lbs	545.75
19	70,001 through 72,000 lbs	566.50
20	72,001 through 74,000 lbs	607.50
21	74,001 through 76,000 lbs	655.00
22	76,001 through 78,000 lbs	695.00
23	78,001 through 80,000 lbs	750.00
24	Over 80,000 lbs. and within the weight limits	
25	specified in 61-10-101 through 61-10-104	
26	and 61-10-106 through 61-10-110	750.00
27		plus an additional <del>46.00</del> <u>\$46.00</u>
28		for each ton or fraction of a ton
29		in excess of 80,000 lbs.
30		plus an additional \$100.00

to exceed the 80,000 lbs.  
federal gross weight limit."

**Section 2.** Section 61-10-206, MCA, is amended to read:

**"61-10-206. Special fees -- certain farm vehicles.** (1) Except for motortrucks owned and operated by cooperative associations or cooperative marketing associations, there must be paid and, except as provided in 61-10-209, collected annually a fee equal to 35% of the fees provided in 61-10-201 on:

(a) motortrucks owned and operated by ranchers or farmers in:

(i) the transportation of their own ranch, farm, orchard, or dairy products from point of production to market;

(ii) the transportation of timber harvested on their own ranch, farm, orchard, or dairy from point of harvest to market;

(iii) the transportation of supplies, commodities, or equipment to be used on the ranch, farm, orchard, or dairy;

(iv) the infrequent or seasonal transportation by one farmer for another for any purpose other than commercial hire of products of the farm, orchard, or dairy; or

(v) the transportation of supplies or commodities to be used on the farm, orchard, or dairy; and

(b) one truck tractor and lowboy trailer used by contractors engaged exclusively in soil conservation work and land leveling activities that result in direct benefit to agriculture.

(2) The minimum fee is \$6.

(3) A motor vehicle or trailer designed and used to apply fertilizer to agricultural land must be treated as special mobile equipment."

**Section 3.** Section 61-10-209, MCA, is amended to read:

**"61-10-209. ~~Monthly payment -- quarterly payment --~~ Payment periods -- rules -- grace period -- penalty for failure to pay fee.** (1) ~~(a) When~~ If the gross weight of a vehicle exceeds 24,000 pounds, the gross weight or special fees for trucks, tractors, or buses may be paid for:

~~(i) for a 1-month period for~~ in an amount equal to one-twelfth the regular fee or;

~~(ii) for a 3-month period for~~ in an amount equal to one-fourth the regular fee at the beginning of any quarter of the calendar year month for 3 consecutive months; or

(iii) an annual period.

(b) (i) For each fee paid other than at the time of payment of the annual vehicle registration fee, an additional fee of \$5 must be charged.

(ii) The department may adopt rules ~~relative to~~ for the issuance and display of certificates or insignia, which must state the months for which the vehicle is licensed.

(2) A vehicle licensed under this section may not be operated ~~over~~ upon the public highways after the expiration of:

(a) the 1-month period until the owner pays the required fee for a license for an additional 1-month or 3-month period or for the remainder of the year; or

(b) the 3-month period unless the owner or operator of the vehicle, within 10 calendar days or 7 business days as provided by law, whichever is ~~greater~~ longer, pays the required fee for a license for an additional 1-month or 3-month period or for the remainder of the year; or

(c) (i) except as provided in subsection (2)(c)(ii), the annual period unless the owner or operator of the vehicle, within 10 calendar days or 7 business days as provided by law, whichever is longer, pays the required fee for an additional year.

(ii) The provisions of 61-3-312(2) apply when all fees are paid at the time of annual registration of a motor vehicle.

(3) A person who operates a vehicle upon the public highways in violation of subsection (2) is guilty of a misdemeanor. In addition, the person is required to purchase a gross weight license for the vehicle involved ~~at in an amount equal to~~ the fee covering an entire year's license for operation of for operating the vehicle for the entire year less the fees for the period of the year already paid.

(4) If, within 5 days after a requirement under subsection (3) is applicable, a license for a full year has not been purchased as required, the Montana highway patrol, county sheriff, or city police may impound the vehicle in the manner that is directed for these cases prescribed by the department until the requirement is met."

**Section 4.** Section 61-10-223, MCA, is amended to read:

**"61-10-223. Expiration date.** ~~Any GVW license issued shall be~~ Unless otherwise provided by law, a  
gross vehicle weight license is valid only for the period for which the license is issued."

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